

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH
MINUTES OF PUBLIC MEETING
COMMISSION CHAMBERS, ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
May 12, 2015 - 9:00 A.M.

PRESENT: COMMISSIONER LARRY A. ELLERTSON, CHAIR
COMMISSIONER WILLIAM C. LEE, VICE-CHAIR
COMMISSIONER GREG GRAVES

ALSO PRESENT:

David Shawcroft, Civil Division Chief Deputy Attorney	Alec Barton, Brigham Young University Student
Carl Hollan, Utah County Deputy Attorney	Colby Goeffil, Provo Resident
Bryan E. Thompson, Utah County Clerk/Auditor	Sherrie Hall Everett, Provo Resident
Scott C. Hogensen, Chief Deputy Clerk/Auditor	David Harding, Provo Resident
Burt Harvey, Clerk/Auditor - Tax Admin. Supervisor	Jake Hoyt, Lindon City Councilmember
Julie Rollins, Utah County Purchasing Agent	Jeffrey Jarvis, Brigham Young University Student
Brian Voeks, Utah County Commission Office	Susan Krueger-Barber, Joaquin Improvement Association
Kris Poulson, Utah County Assessor	Jamie Littlefield, Provo Resident
Dr. Joseph K. Miner, Health Department Exec. Director	Mary Littlefield, Provo Resident
Robert Johnson, Drug & Alcohol Prevention & Treatment	Mary Ann Nielsen, Utah Bicycling Club
Mark Brady, Personnel Office	Greg Sanchez, Brigham Young University Student
Jane Ivie, Personnel Office	Heather Skabelund, Provo Resident
Richard Nielson, Utah County Public Works Director	Michael Terry, Lindon Resident
Andrea Allen, Utah County Recorder's Office	David Tuckett, Payson City Manager
Dalene Higgins, Utah County Sheriff's Office	Erik Watkins, Provo Resident
Jerry Monson, Utah County Sheriff's Office	Rachel Whipple, Provo - Maeser Neighborhood Resident
Eldon Packer, Utah County Sheriff's Office	Krysta Whitmore, Provo Bicycle Collective
Peter Quittner, Utah County Sheriff's Office	Chad Eccles, -No further information given-
Kim T. Jackson, Utah County Treasurer	James Fawcett, -No further information given-
Randy Edwards, Utah County Veterans Services	Mike Nielsen, -No further information given-
Tim Matthews, Disabled American Veterans	Grey Turner, -No further information given-
Charlene Christensen, U.V. Convention & Visitors Bureau	Danielle Downs, <u><i>The Daily Herald</i></u>
	Renée Huggins-Caron, Clerk/Auditor Admin. Assist.

Commissioner Ellertson called the meeting to order at 9:05 A.M. and welcomed those present. The following matters were discussed:

PRAYER/READING/THOUGHT: Sherrie Hall-Everett, Provo Resident

PLEDGE OF ALLEGIANCE: Randy Edwards, Utah County Veterans Services Organization

Eager to recognize special guests in the audience, the commissioners chose to immediately address Regular Agenda Item No. 1 before continuing to the posted agenda.

REGULAR AGENDA

1. PRESENTATION OF THE UTAH COUNTY VETERANS SERVICES ORGANIZATION CONSOLIDATED REPORT

Randy Edwards, Utah County Veterans Service Coordinator, came forward to read a prepared statement (*a copy of which can be found attached to these minutes*). He spoke of the importance of veterans in the community, and the problems facing organization such as membership slumps, apathy, and sporadic attendance. Mr. Edwards stated veterans need to be renewed with action, and the responsibility of telling their stories. He thanked the commissioners for their help in achieving a new vision wherein the focus is service and community.

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Randy Edwards reviewed accomplishments of the Utah County Veterans Service Organization during 2014, including Service Councils, Holiday Ceremonies, involvement in the Freedom Festival, and collaboration with local schools, scout groups, and medical personnel. The veterans have participated, hosted, and organized all sorts of events from American Legion meetings to charity pancake breakfasts, blood drives to memorial services, and Yellow Ribbon ceremonies to suicide prevention therapy. Mr. Edwards asked the commissioners to continue supporting the veterans through use of county facilities and media attention whenever possible, and the Board thanked him for his presentation.

The commissioners moved forward with the remaining agenda items as numbered.

PUBLIC COMMENTS

In observation of the impending drought situation, Commissioner Ellertson asked everyone to conserve water whenever possible. He suggested reminding neighbors to turn off their sprinklers when it is raining, reminding all that this may be a challenging year for water. Commissioner Ellertson also spoke of the importance in planning for the future, mentioning a statewide effort at <http://www.envisionutah.org> encouraging all Utah residents to participate in a survey.

Following public comments, the commissioners moved forward with the agenda as scheduled.

PUBLIC HEARING

PUBLIC HEARING TO RECEIVE COMMENT WITH REGARD TO THE PROPOSED ISSUANCE OF UP TO \$65,000,000 OF SUBORDINATED TRANSPORTATION SALES TAX REVENUE BONDS (Public Hearing set April 21, 2015)

Commissioner Ellertson invited members of the public with comments regarding the proposed issuance of Subordinated Transportation Sales Tax Revenue Bonds to approach the bench.

Lindon resident Michael Terry expressed concern that people have been misinformed of the differences between general obligation bonds and special obligation bonds in relation to the proposed Provo/Orem Bus Rapid Transit (BRT) project. He noted the assumption that Utah County will be obligated to pay for a \$65,000,000 bond issue is incorrect, explaining that a general obligation debt is similar to a promissory note or individual mortgage, while a special obligation bond is for a specific purpose and can only be paid by a specific pledged source. Mr. Terry pointed out Utah County currently has no outstanding general obligation debt, which should be a source of comfort for citizens as taxes will not need to be raised for repayment. He stated funding for BRT would come only from the sales tax proceeds as determined by the special obligation bond, reiterating that BRT will not cause a raise in taxes.

Erik Watkins, Provo resident, stated the county will be spending less money by planning for infrastructure now instead of waiting another ten or fifteen years as Utah County continues to grow. The proposed Bus Rapid Transit also provides potential for a light rail system, offering multiple choices for people who choose to or choose not to drive. Mr. Watkins noted this option is less costly than knocking down buildings in order to expand roads; mass transit is a necessity.

Provo resident David Harding referred to a proverb that “the best time to plant a tree is twenty years ago; the second best time is now.” Since it is not possible to go back twenty years to build an efficient transit system, the best option for Utah County is to begin now. Mr. Harding noted the recent completion of the Interstate-15 core reconstruction project which is predicted to accommodate traffic for only fifteen more years; he hopes that we will not look back in twenty years and lament that we did not take the opportunity to begin building a transit system designed to make the roads more efficient.

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Greg Sanchez is a Brigham Young University student who plans to stay in Utah after graduation. Originally from the East Coast where public transportation is abundant but there is no space to expand, Mr. Sanchez sees the value in a community where space and funds are currently available to begin a Bus Rapid Transit system. He personally plans to ride a bicycle and use the university bus as a student, and will continue to use Utah Transit Authority and public transportation when finished with school.

Mary Ann Nielsen of the Utah Bicycling Club started a chapter in Utah County to promote health and fitness. There is an obstacle in getting people of all fitness and ability levels to participate, which would be improved by having more space and safer space on the roads for bicycles. Ms. Nielsen explained how cyclists are encouraged to use the entire street and middle of the road; she is worried about informing the general public about this change for cyclists along the BRT route. She also sees wasted space of grass between islands and roads that could be better used for bike lanes, and asked the Board to consider parking issues while altering the roads - it would be nice to ride without fretting over car doors opening into the path and causing accidents. Vehicle exhaust and options to get around Utah Valley for recreational bike rides are also concerns.

Provo resident Sherrie Hall-Everett is in support of the proposed Provo/Orem Bus Rapid Transit project. She repeated the earlier point that BRT funding comes with no new tax increase, and was approved by a vote of the people in 2006 indicating portions of a sales tax revenue should go to mass transit. The citizens of Provo and Orem pay 44% of the sales tax in Utah County which has allowed the wise expansion of road systems including Pioneer Crossing, SR-92, and North County Boulevard. Provo residents have spent \$270,000,000 on roads throughout the county which they may only drive occasionally, proving that not every individual must personally use a road in order to help take care of it. Ms. Hall-Everett clarified there is not a single part of the road system which is not subsidized. The Mountainland Association of Governments has been tasked with transportation for decades; BRT is the next key step for progress. Ms. Hall-Everett stated a petition being circulated in opposition to BRT is being misrepresented to the public, making the process unfair. She closed her comments with the note that providing transportation infrastructure is an important part of government, and encouraged the commissioners to continue with the vision that will improve quality of life.

Brigham Young University student Alec Barton has lived in Utah most of his life. He thanked Commissioner Ellertson for mentioning Envision Utah earlier in the meeting, also encouraging residents to take the online survey. Mr. Barton believes Utah and Bus Rapid Transit are about vision and making the best use of resources for decades to come. Investment in a transportation system to accommodate the expected population growth in Utah County is a necessity. Comments at previous meetings have declared the opinions of students should not be given as much importance since they are not permanent residents, but Mr. Barton pointed out that if he leaves, another student will take his place. BRT is a community resource; if it benefits students, it benefits the county and region at large.

Jamie Littlefield is a Provo homeowner in favor of Bus Rapid Transit. The difference in quality for public transportation between Salt Lake County and Utah County is noticeable; if Utah County does not accept these funds from the federal government to improve the situation, our own money will be sent and spent elsewhere, probably to help a community not even within this state. Ms. Littlefield repeated that residents voted on use of the funds and it is not a new tax. Provo and Orem are entitled to benefits as much as any other cities, and mass transit will help correct poor air quality. While there may be flaws in the plan, the county must act now or lose the opportunity entirely. Ms. Littlefield looks to BRT as a reason not to move to Salt Lake City, and asks the commissioners to please not reject our own tax dollars coming back into Utah County.

Susan Krueger-Barber of the Joaquin Improvement Association stated her neighborhood needs Bus Rapid Transit. She does not ride the bus anymore because the hassle of carrying groceries and children is too great; BRT, on the other hand, will be stroller-friendly and Ms. Krueger-Barber would prefer to use public transit to avoid polluting the air. The system will be beneficial for university students, and will also increase home values.

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Orem resident James Fawcett acknowledged the comments in favor of public transportation, but counters that it is already in place. Utah Transit Authority bus route 830 runs every fifteen minutes and is sufficient for current community needs. He questioned whether ridership has increased in the eleven years since discussion began regarding Bus Rapid Transit. This project will cost \$150,000,000 of federal and county funds, which is pure silliness when considering the other transportation uses for this money in Utah County. Mr. Fawcett stated it would be unfair to commit such a large amount to one route. There are already public transit options throughout Provo and Orem while other parts of the county are neglected; this argument is about putting the funds into this specific corridor. Mr. Fawcett noted the system would mostly be used for the convenience of young students and missionaries who are already capable of walking to bus stops; truly efficient rapid transit would instead serve University Parkway and not have a dedicated lane. Mr. Fawcett stated this project is overkill, and the referendum to collect signatures in opposition is unnecessarily long.

Rachel Whipple is a Provo resident living in the Maeser neighborhood. She loves using public transportation whenever possible, in places such as Salt Lake City or Portland, Oregon and Washington D.C. In those locations, mass transit is intuitive and easy to use; it is much easier to hop on Trax or the Metro than to figure out a bus route in an unfamiliar city. Comparing BRT to busses is comparing apples to oranges. Ms. Whipple pointed out how Bus Rapid Transit would serve many in the community, including students, children, individuals with disabilities and low-income families. Not everyone can legally or financially drive a car, and we also cannot afford to continue hurting the air quality. The existing infrastructure has been planned around the BRT project; many streets are in need of repair, and road maintenance is directly linked to approval of BRT. Ms. Whipple encouraged the Board to use BRT as an economic driver, making the community a place where businesses want to come because their employees want to live and work here. She also spoke of the benefit to youth, including her own son who is not interested in driving because of the options available through public transportation.

Brigham Young University student Jeffrey Jarvis has experienced transportation systems on a global level, and has seen great improvements to transit in Utah in the eight years he has lived here. The Provo/Orem BRT will also have a positive impact on the surrounding communities; many people who commute will be able to utilize it. Mr. Jarvis noted it is important to prepare now for the future, mentioning the BRT project in Salt Lake (M-35 route) which functions very well.

Commissioner Lee stepped down from the bench in order to make comment as a member of the public. He asked Utah County Clerk/Auditor Bryan E. Thompson whether any funds have been allocated from the quarter-cent sales tax for the SR-92 project. Mr. Thompson responded he was unsure and would have to check, but believes the answer is yes. Commissioner Lee clarified that the voters in 2006 approved the second quarter-cent sales tax through an opinion poll; that is not the same fund paying for this Provo/Orem Bus Rapid Transit project bond. BRT would be sourced through the third quarter-cent sales tax. The third quarter-cent sales tax came into place in 2009. Commissioner Lee stated, "We are talking about a new sales tax; it is going to be the fourth quarter - the county option." If the third quarter-cent sales tax was not effectively filled out, the discussion would be different in talking about the fourth quarter new tax that is on the way. He reiterated that although this project does not promote a new tax, in essence it is promoting the thought for the future of possibly a new tax.

Commissioner Graves also stepped down from the bench in order to make comment as a member of the public. He learned last week that the University Parkway intersection is the third busiest in the entire state. The Provo/Orem Bus Rapid Transit addresses that intersection, which would be a standstill without this project. Commissioner Graves talked about the time value of money from a business perspective to emphasize the importance of beginning this project now instead of in ten years, explaining that the current cost of transportation for roads is increasing at eight percent annually. On a \$150,000,000 project, that is roughly \$12,000,000 at current rates - the cost of waiting can be much greater. Commissioner Graves noted Utah County can buy bonds right now at less than book rates, which may make it possible to purchase a \$65,000,000 with a return of \$61,000,000 based on the market. Lastly, he clarified that the question on the referendum petition against Bus Rapid Transit is not to stop BRT: the question only addresses the proposed parameters of the bond. The BRT project was entered into through an interlocal agency agreement on December 2, 2014 by the previous Board of Commissioners, before both he and Commissioner Lee were members of the Board.

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Commissioner Lee asked Commissioner Graves whether he is in favor of people voting on bonds, and Commissioner Graves responded that it is the law for the people to vote on general obligation bonds. They began to debate comments from previous meetings regarding bonds and petitions, when Commissioner Ellertson reminded them the purpose of a public hearing and Commissioner Graves returned to the bench.

Commissioner Ellertson thanked everyone for their public comments and input, noting the commissioners are available individually to answer any questions or share their thoughts on the issue, with the exception of electronic communication due to new state laws.

CONSENT AGENDA

1. **APPROVE THE AUDITOR'S LIST OF PROPERTIES DEEMED IN THE BEST INTEREST OF THE PUBLIC TO WITHDRAW FROM THE 2015 ANNUAL DELINQUENT TAX SALE**
2. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE SUPPLEMENTAL LAW ENFORCEMENT AGREEMENT WITH GOLDBLOCKS BIKE RIDE (BROOKSEE, LLC) FOR ONE DEPUTY TO SECURE TRAFFIC AT RANCHES PARKWAY AND STATE ROAD 73 ON MAY 19, 2015**
3. **APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 60324, DATED MAY 7, 2015**
4. **ABATE PERSONAL PROPERTY ACCOUNTS ATTACHED FOR THE YEARS INDICATED, HAVING BEEN IDENTIFIED AS UNCOLLECTIBLE; THERE ARE NO ASSETS AVAILABLE**
5. **APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER NO. 20332, DATED MAY 6, 2015**
6. **APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2015-9**
7. **ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO THE UTAH COUNTY SHERIFF'S OFFICE AND THE UTAH COUNTY HEALTH DEPARTMENT**
8. **APPROVE THE MINUTES OF THE APRIL 14, 2015 COMMISSION MEETING**
9. **APPROVE THE MINUTES OF THE APRIL 21, 2015 COMMISSION MEETING**
The Board suggested this item be stricken from the agenda.
STRICKEN
10. **APPROVE THE MINUTES OF THE APRIL 28, 2015 COMMISSION MEETING**
The Board suggested this item be stricken from the agenda.
STRICKEN

11. RATIFICATION OF WARRANT REGISTER SUMMARY

Register No. 494	May 4, 2015	Check Nos. 207165-207166	Total: \$ 7,830.60
Register No. 495	May 4, 2015	Direct Deposit: 22051-22051	Total: \$ 148,139.19
Register No. 496	May 4, 2015	Purchasing Cards 4796-4798	Total: \$ 33,143.44
Register No. 497	May 4, 2015	Wires: 414-422	Total: \$4,129,075.17
Register No. 498	May 4, 2015	Check Nos. 207167-207167	Total: \$ 922,120.05
Register No. 499	May 4, 2015	Check Nos. 207168-207209	Total: \$ 113,801.55

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Register No. 500	May 4, 2015	Purchasing Cards 4799-4802	Total: \$	1,712.94
Register No. 501	May 4, 2015	Purchasing Cards 4803-4878	Total: \$	18,271.49
Register No. 502	May 4, 2015	Check Nos. 207210-207210	Total: \$	29.90
Register No. 503	May 5, 2015	Check Nos. 207211-207220	Total: \$	2,239.88
Register No. 504	May 5, 2015	Purchasing Cards 4879-4879	Total: \$	494.86
Register No. 505	May 5, 2015	Purchasing Cards 4880-4894	Total: \$	2,248.73
Register No. 506	May 5, 2015	Purchasing Cards 4895-4901	Total: \$	3,079.99
Register No. 507	May 5, 2015	Check Nos. 207221-207225	Total: \$	63,241.81
Register No. 508	May 6, 2015	Purchasing Cards 4902-4903	Total: \$	1,962.96
Register No. 509	May 6, 2015	Check Nos. 207226-207256	Total: \$	58,429.87
Register No. 510	May 6, 2015	Direct Deposit:22052-22052	Total: \$	9,904.00
Register No. 511	May 6, 2015	Purchasing Cards 4904-4904	Total: \$	651.38
Register No. 512	May 6, 2015	Purchasing Cards 4905-4913	Total: \$	2,470.60
Register No. 513	May 6, 2015	Check Nos. 207257-207269	Total: \$	251,685.77
Register No. 514	May 7, 2015	Wires: 423-423	Total: \$	37.70
Register No. 515	May 7, 2015	Direct Deposit:22053-22053	Total: \$	419.44
Register No. 516	May 7, 2015	Purchasing Cards 4914-4914	Total: \$	1,431.94
Register No. 517	May 7, 2015	Purchasing Cards 4915-4924	Total: \$	999.15
Register No. 518	May 7, 2015	Check Nos. 207270-207270	Total: \$	25,454.58
Register No. 519	May 7, 2015	Check Nos. 207271-207291	Total: \$	26,085.94
Register No. 520	May 7, 2015	Purchasing Cards 4925-4926	Total: \$	1,225.47
Register No. 521	May 7, 2015	Direct Deposit:22054-22082	Total: \$	6,344.89
Register No. 522	May 7, 2015	Check Nos. 207292-207314	Total: \$	60,123.44
Register No. 523	May 8, 2015	Purchasing Cards 4927-4928	Total: \$	813.00
Register No. 524	May 8, 2015	Purchasing Cards 4929-4942	Total: \$	1,805.24
Register No. 525	May 8, 2015	Direct Deposit:22083-22088	Total: \$	3,826.23
Register No. 526	May 8, 2015	Check Nos. 207315-207341	Total: \$	20,263.90
Register No. 527	May 8, 2015	Direct Deposit:22089-22094	Total: \$	73,094.03
Register No. 528	May 8, 2015	Check Nos. 207342-207404	Total: \$	414,685.74
		Total:	\$	<u>\$6,410,117.87</u>

Consent Agenda Item Nos. 1 through 8, and 11, were approved as written. Commissioner Ellertson recommended the following Regular Agenda items be moved to Consent:

5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH CLAIMREMEDI FOR ELECTRONIC MEDICAL CLAIM TRANSMISSION** *(Continued from the April 28 and May 5, 2015 Commission meetings)*
6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A LEASE AGREEMENT WITH DIVERSIFIED PROPERTY HOLDING, LLC. FOR THE HEALTH DEPARTMENT AND WIC SERVICES AMERICAN FORK NORTH COUNTY BUILDING**
7. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH DEPARTMENT OF HEALTH TO DEVELOP PUBLIC HEALTH EMERGENCY PREPAREDNESS FOR EBOLA**
8. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH COUNTY FAIR FOR A WIC BOOTH**

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9. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE FY2016 CONTRACT FOR BAILIFF AND SECURITY SERVICES WITH THE STATE OF UTAH
12. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH RESTAURANT & STORE EQUIPMENT COMPANY TO PURCHASE TWO (2) TILT SKILLETS FOR USE IN THE UTAH COUNTY JAIL KITCHEN
14. ADOPT A RESOLUTION OF APPOINTMENT OF COMMISSIONER GREG GRAVES TO THE UTAH COUNTY CLEAN AIR TASK FORCE
19. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2015-65 WITH AMERICA'S FREEDOM FESTIVAL, INC.
20. APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN UTAH INTERNET CRIMES AGAINST CHILDREN TASK FORCE AND UTAH COUNTY, ACTING THROUGH THE UTAH COUNTY ATTORNEY'S OFFICE

ACTIONS TAKEN

Consent Agenda Item Nos. 1, 3, 5, 6 and 8 were approved; No. 2 was approved and authorized; No. 4 was abated; No. 7 was adopted; Nos. 9 and 10 were stricken from the agenda; and No. 11 was ratified. Regular Agenda Item No. 5 was stricken from the agenda; Nos. 6, 7, 8, 9, 12 and 19 were approved and authorized; No. 14 was adopted; and No. 20 was approved.

AGREEMENT NOS.: 2015-266, 2015-267, 2015-268, 2015-269, 2015-270, 2015-271, 2015-272, 2015-272(A), 2015-273, 2015-273(A), 2015-274, 2015-275, 2015-275(A), 2015-276, 2015-277, 2015-278, 2015-279, 2015-280, 2015-281 and 2015-282

RESOLUTION NOS.: 2015-66 and 2015-67

REGULAR AGENDA

2. DELETE ONE FULL-TIME CAREER SERVICE LIEUTENANT-ENFORCEMENT POSITION FROM THE STAFFING PLAN OF THE ENFORCEMENT BUREAU OF THE SHERIFF'S OFFICE (100-42120-2531-22-1) AND REPLACE IT WITH ONE FULL TIME CAREER SERVICE MAJOR CRIMES TASK FORCE FIELD DIRECTOR (100-42120-XXXX-22-1) *(Continued from the May 5, 2015 Commission meeting)*

Jerry Monson of the Utah County Sheriff's Office stated no additional funding would be required.

Commissioner Graves made the motion to authorize the Staffing Plan changes for the Enforcement Bureau of the Sheriff's Office as detailed in Regular Agenda Item No. 2. The motion was seconded by Commissioner Lee and carried with the following vote:

AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None

APPROVED

3. AUTHORIZE THE ADDITION OF FOUR FULL-TIME CAREER SERVICE POSITIONS TO THE DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT AS FOLLOWS: *ONE PROGRAM MANAGER POSITION (CLASS CODE 2051); *TWO CLINICAL THERAPIST II POSITIONS (CLASS CODE 2052); AND *ONE COUNSELOR I POSITION (CLASS CODE 5039) - STAFFING PLAN ACCOUNT NO. 210-43350

Utah County Assistant Personnel Director Mark Brady helped Utah County Department of Drug and Alcohol Prevention and Treatment Director Richard Nance explain the need for this change in the department. The Life Enhancement Center closed announced in February of this year they would be closing their doors at the end of March, which left the county in a lurch for a main youth provider center. Utah County has avoided taking on the task for the previous fifteen years because of the risks involved, but treatment for the patients must continue and this has added to the responsibilities of Mr. Nance's staff. The silver lining is that the county will be able to serve twice as many clients with the same amount of money.

Commissioner Lee made the motion to authorize the Staffing Plan changes to the Department of Drug and Alcohol Prevention and Treatment as detailed in Regular Agenda Item No. 3. The motion was seconded by Commissioner Graves and carried with the following vote:

**AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None**

APPROVED

4. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A PARTICIPATING ADDENDUM WITH QWEST COMMUNICATIONS COMPANY, DBA CENTURYLINK QCC

Utah County Purchasing Agent Julie Rollins explained how state pricing requires a tangible document for the contractor. This addendum is specifically for Public Works phones.

Commissioner Graves made the motion to approve and authorize a participating addendum with Qwest Communications Company, dba CenturyLink QCC as outlined in Regular Agenda Item No. 4. The motion was seconded by Commissioner Lee and carried with the following vote:

**AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None**

AGREEMENT NO. 2015-283

10. AUTHORIZE AND APPROVE THE COMMISSION CHAIR TO SIGN THE ANNUAL MAINTENANCE CONTRACT WITH CROSS MATCH FOR A FINGERPRINT MACHINE

When Commissioner Ellertson mentioned the need for an additional budget transfer, Dalene Higgins of the Utah County Sheriff's Office confirmed it had already been done. Utah County Clerk/Auditor Bryan E. Thompson explained how copier maintenance costs had been taken from the fund, which in turn reduced the available amount.

Commissioner Graves made the motion to approve and authorize the annual maintenance contract with CrossMatch for a fingerprint machine as identified in Regular Agenda Item No. 10. The motion was seconded by Commissioner Lee and carried with the following vote:

**AYE: Larry A. Ellertson
William C. Lee
Greg Graves**
NAY: None

AGREEMENT NO. 2015-284

11. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE CHALLENGE COST SHARE AGREEMENT WITH THE USDA FOREST SERVICE UINTA-WASATCH-CACHE NATIONAL FOREST SERVICE PLEASANT GROVE RANGER DISTRICT

Dalene Higgins of the Utah County Sheriff's Office confirmed for Commissioner Ellertson that this is a regular fee demonstration contract which has been approved annually. Commissioner Graves noted that Utah County Deputy Attorney Cort Griffin had requested the item be continued to allow additional review.

Commissioner Graves made the motion to continue Regular Agenda Item No. 11 regarding the Challenge Cost Share Agreement with the USDA Forest Service Uinta-Wasatch-Cache National Forest Service Pleasant Grove Ranger District for two weeks to the May 26, 2015 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Lee and carried with the following vote:

**AYE: Larry A. Ellertson
William C. Lee
Greg Graves**
NAY: None

CONTINUED TO MAY 26, 2015

13. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH ICOR TECHNOLOGY FOR THE GRANT-FUNDED PURCHASE OF FIVE ROBOTS

Utah County Clerk/Auditor Bryan E. Thompson reminded the county departments to please identify account numbers when submitting financial information for agenda requests.

Commissioner Lee made the motion to approve and authorize an agreement with ICOR Technology for the grant-funded purchase of five robots as described in Regular Agenda Item No. 13. The motion was seconded by Commissioner Graves and carried with the following vote:

**AYE: Larry A. Ellertson
William C. Lee
Greg Graves**
NAY: None

AGREEMENT NO. 2015-285

15. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE COACH KARL TUCKER FOUNDATION FOR SPONSORSHIP OF THE 2015 PROVO OPEN TOURNAMENT (Continued from the April 28 and May 5, 2015 Commission meetings)

Utah County Civil Division Chief Deputy Attorney David H. Shawcroft noted the golf tournament would take place June 9-13, 2015. Commissioner Graves mentioned speaking with Gary Golightly of the Coach Karl Tucker Foundation and requesting a breakdown of the sponsorship funds. Mr. Golightly has the information but was unable to provide it to the Board due to medical issues. When Commissioner Lee suggested continuing discussion to the next meeting of the Board, it was noted that with the cancellation of the May 19, 2015 session, approval would be pushed to May 26th and only allow less than two weeks for the foundation to move forward.

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Commissioner Lee asked whether the proposed agreement has been cross-referenced with statute regarding use of tourism dollars, and Utah County Clerk/Auditor Bryan E. Thompson responded no. Commissioner Lee questioned the use of tourism funds for county-sponsored golf teams, and Mr. Thompson asked whether a summary of expenditures had been provided for past tournaments. Commissioner Ellertson stated no, and Commissioner Graves added that Gary Golightly has those past expense reports. When Mr. Thompson suggested requesting and reviewing those past reports, Commissioner Ellertson spoke against the superfluosity of such a process, noting the good history and track record of this joint venture between the Coach Karl Tucker Foundation and the county. Commissioner Lee countered that the county must be held accountable, and reviewed several points of the contract with Utah County Deputy Attorneys David Shawcroft and Carl Hollan. The commissioners discussed the check register process with Mr. Thompson, and the Board suggested the following changes be made:

- Upon approval of the agreement, the Coach Karl Tucker Foundation is to provide data on use of past funds as well as plans for this year's contribution;
- Upon receipt of said information, Commissioner Ellertson will sign the agreement as Chair and only then will any payment be released to the Foundation; and
- Paragraph 1.d, stating "*county will receive 2 foursome teams to participate in the Sponsor Tournament,*" will be stricken from the agreement.

Commissioner Graves made the motion to approve and authorize an agreement with the Coach Karl Tucker Foundation for sponsorship of the 2015 Provo Open Tournament, with the changes and stipulations specified in Regular Agenda Item No. 15. The motion was seconded by Commissioner Lee and carried with the following vote:

**AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None**

AGREEMENT NO. 2015-286
APPROVED WITH CHANGES

16. ADOPT AN ORDINANCE AMENDING SUBSECTION 2-1-4(C) OF THE UTAH COUNTY CODE RELATING TO FINANCIAL ADMINISTRATION (*Continued from the May 5, 2015 Commission meeting*)

Utah County Deputy Attorney Paul Jones clarified that purchase orders for more than \$2,500 will require Commission approval under the new ordinance, an increase from the previous \$1,000 amount. General language within the current ordinance is being updated to reflect that change. Utah County Civil Division Chief Deputy Attorney David H. Shawcroft read the most recent revision for the record:

2-1-4. Financial Administration

(c) The Board of County Commissioners shall approve purchase orders entered for any of the following:

- (1) items not included as approved line items in the adopted budget,*
- (2) mileage and transportation,*
- (3) education,*
- (4) travel,*
- (5) any amount equal to or above the sum of \$2,500.00.*

The County Purchasing Agent or, if the County Purchasing Agent is unavailable, the person duly authorized to act as purchasing agent for the County, is authorized to approve purchase orders in an amount less than the sum of \$2,500.00.

Commissioner Lee made the motion to adopt an ordinance amending Subsection 2-1-4(c) of the Utah County Code relating to Financial Administration as discussed in Regular Agenda Item No. 16.

The motion was seconded by Commissioner Graves and carried with the following vote:

AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None

ORDINANCE NO. 2015-15

17. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH SCERA FOR UTAH COUNTY SPONSORSHIP OF THE 2015 SCERA SHELL SEASON *(Continued from the May 5, 2015 Commission meeting)*

Commissioner Lee submitted for the record a copy of the email sent by Adam Robertson of the SCERA in response to questions of how funds will be used to promote tourism in Utah County. Commissioner Lee expressed concern with several portions of the contract, and discussed alternate options with his fellow Board members. Commissioner Ellertson mentioned providing tickets to County personnel and Commissioner Graves suggested advertising through web sites. Utah County Civil Division Chief Deputy Attorney David H. Shawcroft also commented, and Commissioner Ellertson suggested deleting sections i, j, k, l, and m of Paragraph 3:

- i. Six general-admission season tickets*
- j. Four invitations to pre-performance VIP receptions with artists*
- k. Two reserved (Section A) season tickets*
- l. One reserved-parking pass*
- m. Six vouchers for concessions*

Commissioner Graves suggested further discussion with the SCERA and perhaps the Utah Valley Convention and Visitors Bureau before making a final decision.

Commissioner Graves made the motion to continue Regular Agenda Item No. 17 regarding an agreement with SCERA for Utah County Sponsorship of the 2015 SCERA Shell Season for two weeks to the May 26, 2015 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Lee and carried with the following vote:

AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None

CONTINUED TO MAY 26, 2015

18. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH VALLEY CHAMBER OF COMMERCE FOR 2015 SILVER MEMBERSHIP *(Continued from the May 5, 2015 Commission meeting)*

Commissioner Lee questioned the benefits of this agreement with the Utah Valley Chamber of Commerce, and Utah County Clerk/Auditor Bryan E. Thompson noted this agreement is not funded with TRCC (Tourism, Recreation, Culture and Convention Facilities Tax) monies. Commissioner Ellertson noted the importance of supporting local businesses, mentioning a monthly "Friday Forum" meeting in which the Board is invited to attend.

Commissioner Lee made the motion to approve and authorize an agreement with the Utah Valley Chamber of Commerce for 2015 Silver Membership as defined in Regular Agenda Item No. 18. The motion was seconded by Commissioner Graves and carried with the following vote:

AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None

AGREEMENT NO. 2015-287

The commissioners determined it would not be necessary to hold any closed meetings.

- 21. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL OR INDIVIDUALS (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA AND WORK SESSION AGENDA ITEMS) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)**

STRICKEN

- 22. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA AND WORK SESSION AGENDA ITEMS) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)**

STRICKEN

- 23. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, WATER RIGHTS, OR WATER SHARES (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA AND WORK SESSION AGENDA ITEMS) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)**

STRICKEN

- 24. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY, WATER RIGHTS, OR WATER SHARES, PREVIOUSLY PUBLICLY NOTICED FOR SALE (SUGGESTED FOR TODAY'S DATE, AT THIS LOCATION, FOLLOWING THE COMPLETION OF THE REGULAR AGENDA AND WORK SESSION AGENDA ITEMS) (ANNOUNCE THE VOTE OF EACH COMMISSIONER)**

STRICKEN

Commissioner Graves made the motion to strike Regular Agenda Item Nos. 21 through 24 to set dates, times and locations for closed meetings to discuss the character, professional competence, or physical or mental health of an individual or individuals; for a strategy session to discuss pending or reasonably imminent litigation; for a strategy session to discuss the purchase, exchange, or lease of real property, water rights, or water shares; and for a strategy session to discuss the sale of real property, water rights, or water shares previously publicly noticed for sale. The motion was seconded by Commissioner Lee and carried with the following vote:

AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None

WORK SESSION

NO WORK SESSION ITEMS WERE SUBMITTED

This concluded discussion of all scheduled agenda items.

Commissioner Graves made the motion to adjourn the May 12, 2015 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Lee and carried with the following vote:

**AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None**

There being no further business nor public comment, the meeting adjourned at 10:54 A.M. The minutes of the May 12, 2015 Commission meeting were approved as transcribed on June 30, 2015.

LARRY A. ELLERTSON, Commission Chair

ATTEST:

BRYAN E. THOMPSON
Utah County Clerk/Auditor